

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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|----------------------------------|---|---------------------------------------|
| In re: | : | |
| | : | Case No.: 18-10849 |
| Steven C. Sementelli | : | Chapter 13 |
| | : | Judge Thomas P. Agresti |
| Debtor(s) | : | ***** |
| | : | |
| JPMorgan Chase Bank, N.A. | : | Date and Time of Hearing |
| Movant, | : | October 14, 2020 at 10:00 a.m. |
| vs | : | _____ |
| | : | |
| Steven C. Sementelli | : | Related to Document No. 50 |
| | : | |
| Ronda J. Winnecour | : | |
| Respondents. | : | |

ORDER GRANTING MOTION FOR RELIEF FROM STAY (DOCKET NUMBER 50)
REGARDING 2017 SUBARU FORESTER WITH VIN# JF2SJADC1HH418260 WITH
30-DAY WAIVER

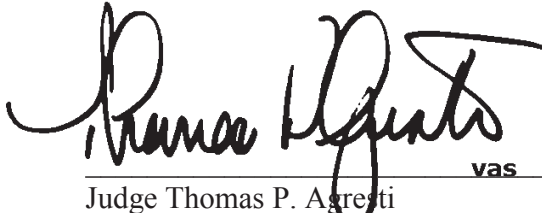
This matter came before the Court on the Motion for Relief from Stay (the "Motion") filed by JPMorgan Chase Bank, N.A. ("Creditor") (Docket No. 50).

Creditor has alleged that good cause for granting the Motion exists, and that Debtor, counsel for the Debtor, the Chapter 13 Trustee, and all other necessary parties were served with the Motion, and with notice of the hearing date on the Motion. No party filed a response or otherwise appeared in opposition to the Motion, or all responses have been withdrawn. For these reasons, it is appropriate to grant the relief requested.

IT IS, THEREFORE, ORDERED that the Motion is granted. The automatic stay imposed by § 362 of the Bankruptcy Code is terminated with respect to the Creditor, its successors, and assigns.

Creditor is hereby permitted to take any and all actions necessary to accelerate the balance due on the Contract, to sell the Collateral in accordance with state law, to apply the net proceeds to the Contract, and to otherwise exercise its contractual and state law rights as to the Collateral.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall discontinue all payments to Creditor on its claim under the Chapter 13 Plan filed by the Debtor(s). Creditor is directed to file a report of sale promptly following liquidation of the 2017 Subaru Forester with the Vehicle Identification Number JF2SJADC1HH418260 (the "Collateral") if any excess proceeds are received. Should Creditor seek to file any unsecured deficiency claim, Creditor shall do so no later than 90 days after this Order is entered. If the Collateral has not been liquidated, the deficiency claim is to be estimated.



vas
Judge Thomas P. Agresti
United States Bankruptcy Judge

Date: September 22, 2020

CC:

Karina Velter, Attorney for Creditor, Manley Deas Kochalski LLC, P.O. Box 165028, Columbus, OH 43216-5028 (notified by ecf)

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov (notified by ecf)

Ronda J. Winnecour, Chapter 13 Trustee, Suite 3250, USX Tower, 600 Grant Street, Pittsburgh, PA 15219 (notified by ecf)

Michael J. Graml, Attorney for Debtor, 714 Sassafras Street, Erie, PA 16501 (notified by ecf)

Steven C. Sementelli, Debtor, 1820 West 56 Street, Erie, PA 16509 (notified by regular US Mail)

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Steven C. Sementelli
Debtor

Case No. 18-10849-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: culy
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 22, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 24, 2020.

db +Steven C. Sementelli, 1820 West 56 Street, Erie, PA 16509-1839

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 24, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 22, 2020 at the address(es) listed below:

Brian Nicholas on behalf of Creditor Quicken Loans Inc. bnicholas@kmlawgroup.com

Karina Velter on behalf of Creditor JPMorgan Chase Bank, N.A. amps@manleydeas.com

Michael J. Graml on behalf of Debtor Steven C. Sementelli mattorney@neo.rr.com,
mjgraml@verizon.net

Nicholas R. Pagliari on behalf of Creditor Tendto Credit Union, f/k/a Erie Community Credit
Union npagliari@mijb.com, sburick@mijb.com

Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour cmecf@chapter13trusteedpa.com

Sarah Barngrover on behalf of Creditor JPMorgan Chase Bank, N.A. amps@manleydeas.com

TOTAL: 7